

## OPENING

Mayor Pro Tem Edwardsen brought the meeting to order at 6:00 p.m. welcoming all in attendance and led the pledge of allegiance.

## PRESENT

Mayor Pro Tem Paul Edwardsen  
Council Member Debbie Kopp  
Council Member Michael McLaughlin  
Mayor Marty Lisonbee  
Council Member Denny Bass  
Town Recorder Jauna McGinnis  
Town Attorney Shawn Guzman

## OTHERS IN ATTENDANCE

Fire Chief Dave Zolg, Jr  
Big Plains Water Chairman Harold Merritt

## DISCUSSION AND ACTION ON VACANCY APPOINTMENTS

### MAYOR

Marty Lisonbee introduced himself. Lived here 14 years, not afraid of budgets, expertise in building homes, putting together commercial developments, working with contractors, well qualified to manage for town. Willing to talk to both sides for resolutions for our community.

**MOTION:** Mayor Pro Tem Edwardsen motioned to appoint Marty Lisonbee as mayor of Apple Valley.  
**SECOND:** The motion was seconded by Council Member McLaughlin.  
**VOTE:** Mayor Campbell called for a vote:

Council Member Kopp - Aye  
Council Member McLaughlin – Aye  
Council Member Edwardsen - Aye

The vote was unanimous and the motion carried.

Marty Lisonbee was given the Oath of Office by Notary Jauna McGinnis.

Mayor Marty Lisonbee joined the council in council chambers.

#### TOWN COUNCIL

Richard Fischer introduced himself. Owns construction company in town. Experienced in construction and road work.

Denny Bass introduced himself. Been running businesses for 50 years, moved here 10 years ago, was on water board, and was town Fire Chief.

Mayor- Richard brings great qualifications. Has extensive experience with budgets and running companies. Denny ran fire department, can speak language with fire and water to help the council understand the needs of these departments.

Council member Edwardsen-Denny brings great experience to the table.

<b>VOTE:</b>	Council Member McLaughlin –	Denny Bass
	Council Member Edwardsen-	Denny Bass
	Council Member Kopp-	Denny Bass
	Mayor Lisonbee-	Denny Bass

**MOTION:** Council Member Kopp motioned to appoint Denny Bass to town council member tending January 6, 2020.

**SECOND:** The motion was seconded by Council Member McLaughlin.

Motion Passes The vote was unanimous and the motion carried.

Denny Bass was given the Oath of Office by Notary Jauna McGinnis.

Council Member Bass joined the council in council chambers.

Mayor Lisonbee expresses his desire that the council be paid for their time. Mayor will take the salary that is offered by the town. This money will be put into the "Mayor Salary Fund." This Money will be used for the Mayors Pet projects for the town. He will not be taking the health insurance, or mileage reimbursements offered by the town.

#### **DISCUSSION AND ACTION ON BIG PLAINS WATER AND SEWER APPOINTMENTS**

**Resolution 2018-19** – Mayor Lisonbee read resolution.

Resolution appoints Mayor Lisonbee and Council Member Denny Bass to the Big Plains Water and Sewer board, term expiring January 6, 2020.

**MOTION:** Council Member Edwardsen motioned to pass resolution 2018-19

**SECOND:** The motion was seconded by Council Member Kopp

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

#### **PUBLIC COMMENTS**

**MOTION:** Council Member Kopp motioned to open public comments

**SECOND:** The motion was seconded by Council Member Edwardsen

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

Lisonbee – The next meeting will be a full meeting on drainage and code enforcement. The town has a money problem not a drainage problem.

Margaret Ososki – Shares concerns about retention ponds producing mosquitoes. Edwardsen – Pond near his home has been sprayed by county. Jerry Darger – We pay tax money for abatement. Floods hatch mosquitoes that have been dormant. Call county when they hatch and they can come out and spray.

Rich Ososki – Thanks Paul for calling him to let him know what is going on with his Nuisance complaints. Expresses concerns about Wayne Bevins equipment and that he wouldn't move it. Equipment is finally being moved. He would like to see development in Gooseberry. Equipment was eyesore. Property values affected.

Rich Kopp – Thanked Mayor Lisonbee and Member Denny for willingness to serve. Expresses his belief that Richard Fischer will be an asset to the town.

Dale Pugmire – Expresses his concern that the drainage ditch has been filled in by homeowners. He would like to have this ditch dug out to alleviate flooding. Mayor Lisonbee-explained flow of water.

Richard Fischer- Shares concerns about problems with culvert sizing from 4' to 15". Mayor Lisonbee – Town Code say 15" and town sold to homeowners. Homeowners need to clean own bar ditches.

Vernae Hansen-Is the bar ditch in town right of way? Mayor Lisonbee not sure about the right of way but it is in Town Ordinance that cleaning the ditch is the homeowner's responsibility

Pugmire – Mentions he has a map of where county put in ditches. Mayor Lisonbee- yes there is a right of way near the fence line.

Edwardsen- The town will address code enforcement violations by complaint. Complaints must be reasonable and valid.

Vernae Hansen – Shares her concern that her flag light shines upward to the flag, is it ok? Mayor Lisonbee mentions that it may be against the ordinance but it probably shouldn't be as flags should have a light on them. This will need to be addressed.

Gary Doelle – Likes how people work together, neighbors helping neighbor. Were town personnel there for flood? Edwardsen - Mutual aid from Hildale and Hurricane came out to help us. Council Member Denny – The fire department will come out and help. Council Member Kopp- Junior and Any were out helping.

Louie Ford – Will Bevin donate water tender to town? We could use it to wet roads during summer.

John McNamara – What has the town been doing to try to control these drainage issues. We need to be proactive and look at this and how affordable it is to get it fixed.

Trevor Black – The town has been looking into CIB funding to take care of major problems.

Jerry Jorgensen- Did the last mayor have a proposal to assess this? Is backhoe available to dig and put in new pipe? Trevor – That has been the policy. Assessment is for improvements not maintenance.

**MOTION:** Council Member Kopp motioned to close public comments

**SECOND:** The motion was seconded by Council Member Edwardsen

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye

Mayor Lisonbee-

Aye

The vote was unanimous and the motion carried.

#### **APPLICATION TO APPEAR FERAL CAT NUSIANCE AND DRAINAGE**

Margie Ososki – Expresses desire to have information put into the water bill and newsletter about problem with stray and feral cats. She will be trapping with Best Friends over the winter. She suggests that owners tag their animals.

Rich Ososki- Should I submit my questions for the next drainage meeting? May I submit my questions in writing?

#### **DISCUSSION AND ACTION ON THE GATEWAY PROJECT**

**MOTION:** Council Member Edwardsen motioned to table Discussion and Action on the gateway project

**SECOND:** The motion was seconded by Council Member Kopp

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

#### **DISCUSSION AND ACTION ON PUBLIC BODY MEETINGS POLICY AND PROCEDURES**

Mayor Lisonbee Read statement from Utah League of Cities and Towns –Mayor Lisonbee will allow public comments on agenda items at his discretion.

Shaun Guzman shares his concern that some things need to be clarified in this document. This is a good base but needs changes. He will submit to Jauna with redlines.

**MOTION:** Council Member Kopp motioned to table accepting Town of Apple Valley Public Body Meetings Policies and Procedures until next meeting on September 19<sup>th</sup>.

**SECOND:** The motion was seconded by Council Member McLaughlin

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye

Council Member Kopp-	Aye
Council Member Bass-	Aye
Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

## ENGAGEMENT LETTER

Mayor Lisonbee explains that this has to do with an audit of the town books with Hinton Burdick.

**MOTION:** Council Member Edwardsen moves to accept the Hinton Burdick Engagement letter

**SECOND:** The motion was seconded by Council Member Kopp

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Abstain
	Mayor Lisonbee-	Aye

The motion carried with Council Member Bass abstaining from the vote.

## DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON REPEAL AND REPLACEMENT OF TITLE 10 CHAPTER 8 REAL ESTATE ZONES.

### CHAPTER 8

**MOTION:** Council Member Kopp motions to repeal and replace on recommendation from the Planning Commission, Title 10 chapter 8 Real Estate Residential Estate Zone

**SECOND:** The motion was seconded by Council Member Edwardsen

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

**DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON REPEAL AND REPLACEMENT OF TITLE 10 CHAPTER 9 SINGLE FAMILY RESIDENTIAL ZONE  
CHAPTER 9**

**MOTION:** Council Member Kopp motions to repeal and replace Title 10 chapter 9 Single Family Residential Zone on recommendation from the Planning Commission

**SECOND:** The motion was seconded by Council Member McLaughlin

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

**DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON REPEAL AND REPLACEMENT OF TITLE 10 CHAPTER 10 MANUFACTURED HOUSING PARK AND RECREATIONAL VEHICLE PARK ZONE**

**CHAPTER 10**

**MOTION:** Council Member Edwardsen motions to repeal and replace Title 10 chapter 10 Manufactured Housing and Park and Recreational Vehicle Park Zone

**SECOND:** The motion was seconded by Council Member Bass

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

**DISCUSSION AND ACTION ON RECOMMENDATION FROM PLANNING COMMISSION ON REPEAL AND REPLACEMENT OF TITLE 10 CHAPTER 12C COMMERCIAL ZONES**

**CHAPTER 12**

Mayor Lisonbee summarized changes.

**MOTION:** Council Member Kopp motions to repeal and replace Title 10 chapter 12C Commercial Zones based on recommendations from the Planning Commission

**SECOND:** The motion was seconded by Council Member Edwardsen

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

#### **DISCUSSION AND ACTION ON CURRENT ZONING MAP**

Mayor Lisonbee summarized work on perfecting map as it has been passed.

**MOTION:** Council Member Edwardsen motions to adopt the current zoning map as shown in packets

**SECOND:** The motion was seconded by Council Member Kopp

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

#### **DISCUSSION AND ACTION ON SURPLUS PROPERTY**

Dump Truck – clutch and drive line yoke are all out, about \$1,000 to fix clutch. Council member Bass recommends using it to haul cinders. Trevor Black – CDL driver needed to run this truck– get something smaller

Council member Edwardsen recommends getting a heavy duty 2 axle dump trailer instead. This is something that anyone can pull.

Value – paid \$6,000 could get \$3,000. Trailer is \$8,000.

Richard Fischer recommends a smaller truck with dump.



**MOTION:** Council Member Edwardsen motions to table surplus of the current dump bed truck we have until the next meeting.

**SECOND:** The motion was seconded by Council Member Denny

**VOTE:**

Council Member McLaughlin –	Aye
Council Member Edwardsen-	Aye
Council Member Kopp-	Aye
Council Member Bass-	Aye
Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

#### CONSENT CALENDAR

**MOTION:** Council Member Kopp motions to accept the consent calendar for expenses from July 1, 2018 to July 31, 2018

**SECOND:** The motion was seconded by Council Member Edwardsen

**VOTE:**

Council Member McLaughlin –	Aye
Council Member Edwardsen-	Aye
Council Member Kopp-	Aye
Council Member Bass-	Abstain
Mayor Lisonbee-	Abstain

The motion carried with Mayor Lisonbee and Council Member Bass abstaining.

#### MINUTES

**MOTION:** Council Member Kopp motions to approve the minute of August 1<sup>st</sup> 2018 and August 15<sup>th</sup> 2018

**SECOND:** The motion was seconded by Council Member McLaughlin

**VOTE:**

Council Member McLaughlin –	Aye
Council Member Edwardsen-	Aye
Council Member Kopp-	Aye
Council Member Bass-	Aye
Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

## REPORTS

Events - Tish – September 29th Founder's day

Planning Commission – Mayor has vacated his seat on the Planning commission. Post for applications for this seat. At the meeting on the 12<sup>th</sup> a local developer will present ideas for development.

Fire – Outlined events on flood night. Make sure to keep your ditches clear to keep water flowing.

Engineering – None

Big Plains – Two track hoes working to mitigating hill from sliding into million gallon tank, air issue at cedar point – dumped 50K gallons to alleviate air problem.

Code Enforcement – None

Roads and Storm Drainage - Addressed

Council – Nothing additional

Senator Evan Vickers would like to meet with Apple Valley and Hildale Town Councils. Attorney Shaun Guzman will arrange dates.

## CLOSED SESSION

**MOTION:** Council Member Edwardsen moves to go to a closed session for litigation

**SECOND:** The motion was seconded by Council Member Kopp

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye
	Mayor Lisonbee-	Aye

The vote was unanimous and the motion carried.

**Moved to closed session at 7:30 pm**

**Reconvened at 7:51 pm**

**MOTION:** Council Member Kopp Motioned to adjourn

**SECOND:** The motion was seconded by Council Member Edwardsen

<b>VOTE:</b>	Council Member McLaughlin –	Aye
	Council Member Edwardsen-	Aye
	Council Member Kopp-	Aye
	Council Member Bass-	Aye


Mayor Lisonbee-

Aye

The vote was unanimous and the motion carried.

Adjourned at 7:51pm

Date approved: 10/17/18



Marty Lisonbee, Mayor

ATTEST BY: Michelle Kinney  
~~Jauna McGinnis~~, Recorder  
Michelle Kinney